Remarks

In the office action, claims 1 and 3-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,132,864 issued to Kiriazis et al. ("Kiriazis et al.") in view of U.S. Patent 5,425,970 issued to Lahrmann et al. ("Lahrmann et al.") in view of U.S. Patent No. 4,810,540 issued to Ellison et al. ("Ellison et al.").

Applicants have added new claims 10 and 11. Upon entry, claims 1 and 3-11 will be pending.

Applicants respectfully request reconsideration and withdrawal of the rejections in view of the following remarks.

A. Rejections under 35 U.S.C. § 103(a):

In the office action, claims 1 and 3-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over a combination of three separate references: Kiriazis et al. in view of Lahrmann et al. in view Ellison et al.

Kiriazis et al. describes a film coated with two or more coats that can be applied to molding blanks such as metal panels prior to their deformation. Column 1, lines 18-20. Kiriazis et al. describes the steps of optionally coating a plastic film with a filler composition, coating the filler composition (or plastic film) with a pigmented paint coat, and optionally coating the pigmented paint coat with a transparent plastic film. Column 1, lines 39-51. In the only two examples given, a plastic substrate is coated with a pigment layer and a transparent film; the optional filler layer is left out. In each case, the pigmented layer has a thickness of 20 μm. No guidance is given for the thickness of the optional filler layer, which is not used in the example.

Lahrmann et al. describes a conventional painting process in which the multi-coat lacquer coating is applied directly onto the end-use component such as automotive bodies and parts thereof. See, e.g. column 9, lines 12-16. Thus, Lahrmann et al. does not describe producing a pigmented paint layer of a dry film for application to a component as recited in Applicants's claims. In one example, (Example 5 cited by the Examiner) Lahrmann et al. teaches coating a sheet of metal supporting material with a 20 μm primer, followed by a 35 μm filler and then a "customary metallic basecoat lacquer" of 10 μm. See, column 10, lines 4-23.

Ellison et al. describes a flexible decorative sheet material for use in surfacing automobile body panels having the appearance of a base coat/clear coat paint finish. As shown in Fig. 3, a clear coat film 23a is applied to a carrier 24 (which may be a steel band), after which a pigmented polymer is sprayed on from spray apparatus 25. If desired, an adhesive layer 13 is applied to the pigmented layer. See, for example, column 5, lines 49-66.

Independent claim 1 recites a process for producing a pigmented paint layer of a dry-paint film for application to a component that includes the steps of:

> applying a first layer to the support material having a first dry layer thickness of between 10 and 50 μm by at least one of knife coating, rolling, pouring or printing;
>
> applying a second layer having a second dry layer thickness to the first layer by atomization, wherein the first dry layer thickness is greater than the second dry layer thickness by a factor of from 3 to 5; and
>
> applying a transparent top layer to the second layer.

Applicants respectfully submit that the three references of Kiriazis et al., Lahrmann et al. and Ellison et al. are not properly combinable, since there is no suggestion within those references to combine the individually disclosed features. For example, Kirirazis et al. and Ellison et al. are both directed to the making of multi-layer paint films to be adhesively applied in their dry state to the end component, such as an automobile body part. Lahrmann et al., by contrasts, teaches a conventional multi-layer coating process in which each of the layers is applied directly to the end component. There is no suggestion in Lahrmann et al. that the process steps would apply to the non-conventional dry paint film systems like those described in Kiriazis et al. and Ellison et al., which must satisfy completely different technical requirements. Applicants respectfully submit that a person of ordinary skill in the art would not be motivated to combine teachings from the conventional wet automobile body painting system of Lahrmann et al. with features from either Kiriazis et al. or Ellison et al., which describe non-conventional dry-paint film systems. There is simply no suggestion to do so.

Furthermore, even if the references were properly combinable, Applicant's respectfully submit that Lahrmann et al. does not teach the steps of applying the first and second layers with the recited thicknesses of claim 1. On the contrary, Lahrmann's Example 5 (and comparison test A) cited by the Examiner teaches coating a sheet of metal first with a primer of 20 μm and then with a second layer of filler material having a thickness of 35 μm. A third layer of lacquer

having a thickness of 10 μm is applied to the second layer. Column 10, lines 4-23. Thus, Lahrmann et al. teaches applying a first layer to a support material having a thickness that is *less than* the second layer -- and not 3 to 5 times *greater than* the second layer as recited in claim 1. Accordingly, Lahrmann et al. actually teaches away from applying first and second layers having the thicknesses recited in claim 1. Moreover, neither Kiriazis et al. nor Ellison et al. suggests the thicknesses missing from Lahrmann et al. Kiriazis et al. would also appear to teach away from the recited thickness ratios, since in each of the examples, the pigmented layer (beneath the transparent layer) is taught to have a thickness of 20 μm. To satisfy the recited ratios, the optional first layer (absent from the examples) would have to be considerably less than 10 μm, and therefore considerably less than the thickness range for the first layer recited in claim 1. Accordingly, Applicants respectfully submit that even the combination of all three references fails to teach or suggest the feature of applying a first layer to the supporting material and applying a second layer to the first layer and having the recited thickness relationships.

Accordingly, withdrawal of the rejections under 35 U.S.C. 103(a) based on Kiriazis et al. in view of Lahrmann et al. in view Ellison et al. is respectfully requested.

B. New Claims 10 and 11:

Applicants have added new claims 10 and 11, which depend from claim 1. Claim 10 recited the additional feature that each of the first and second layers include a pigmented paint, and claim 11 recites the further step of applying the support layer, first layer, second layer, and transparent top layer to the component.

Applicants respectfully request allowance of claims 10 and 11.

CONCLUSION

It is respectfully submitted that the application is now in condition for allowance.

Respectfully submitted,

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